

LINN COUNTY, IOWA, CONSERVATION BOARD RULES & REGULATIONS

Resolution No. 76-2
Revised 3/2012

Section 1. Definitions: Pursuant to the authority of Chapter 350.5 of the Code of Iowa, the Linn County, Iowa, Conservation Board hereby promulgates and places into effect the following regulations. The following terms, as used in these regulations, shall for the purpose of these regulations have the meanings assigned hereto, unless a different meaning is clearly indicated.

A. The term "Board" shall mean the Linn County, Iowa, Conservation Board.

B. The term "Department" shall mean the Department of Conservation.

C. The term "Director" shall mean the director of the Department of Conservation.

D. The term "area" shall mean all or any part of the land and/or water owned, leased, managed or by other means under the control of the Board.

E. The term "authorized representative" shall include Park Rangers and other persons designated from time to time by the Director.

F. The term "special use permit" shall mean any use permit, issued by the Department, pursuant to authority delegated by the board, and signed by the Director or his authorized representative.

G. The term "camping" shall mean the use of a "camping unit" for temporary residence at a campground.

H. The term "campground" shall mean any area designated by the Board for camping.

I. The term "family campground" shall mean any campground designated by the Board for camping by families and groups consisting of five persons or less.

J. The term "group campground" shall mean any campground designated by the Board for camping by groups consisting of six persons or more.

K. The term "campsite" shall mean a segment of a campground designated by the Board for camping by a camping unit or camping party.

L. The term "camping unit" shall mean a tent, recreational vehicle, or other type of portable shelter intended, designed or used for temporary human occupancy.

M. The term "camping party" shall mean any individual, family, or informal unorganized group of not more than five persons occupying one campsite.

M-1. The term "camping day" shall mean a period or any portion of a period from 3:00 p.m. of one day to the established check-out time for the following day.

N. The term "family" shall mean a parent or parents with their unmarried children and not more than two other lineal relatives or not more than two minor guests.

O. The term "youth group" shall mean a group consisting of minor members of an established organization and under the leadership of at least one competent, mature adult for each eight minors in the group and using any number of camping units or occupying a group campground.

P. The term "adult group" shall mean any group of adults, whether or not organized into a formal organization.

Q. The term "capacity" shall mean the maximum number of camping parties or camping units that the Board shall from time to time determine may occupy an area, campground or campsite.

R. The term "official signs" shall mean signs provided for in the Iowa Department of Transportation Manual on Uniform Traffic Control Devices for Iowa Streets and Highways and other signs designated from time to time by the Board.

S. The term "noise" shall mean any loud, confused or senseless shouting or outcry; a sound lacking in agreeable musical quality or which is noticeably unpleasant.

T. The term "commercial activity" shall mean any activity carried out by a private party or organization for the purpose of economic gain or profit.

U. The term "political activity" shall mean any activity if its purpose is support of a candidate or political cause whether partisan or non-partisan.

V. The term "community service activity" shall mean any activity carried out by a nonprofit organization for the purpose of raising funds for charitable or community service purposes.

W. The term "general public events" shall mean an event sponsored by any private organization or individual to which the general public is invited by advertising (distributing handbills or posters) or any like method.

X. The term "private party group" shall mean any group or organization that cannot be classified as commercial, political, community service, general public or special event and that reserve a facility will be considered a "private party group" and will not be subject to the provisions of Section 13.

Y. The term "special events" shall mean any activity which will attract a large number of participants and/or spectators for which the area is not designed to accommodate.

Z. The term "blind" is defined as a constructed place of ambush or concealment for the purpose of hunting, observing, or photographing any species of wildlife.

Section 2. Scope: The provisions of these regulations shall apply to all areas.

Section 3. Fees and charges:

A. Fees or charges made for services or for the use of land, facilities, equipment, materials or supplies on any area to be collected by the Department or authorized concessionaires shall be prescribed and approved by the Board.

B. It shall be unlawful for any person or persons to enter or use any facilities for which entrance fees or user fees are prescribed without payment of same, except those persons on official business or authorized by special use permits.

Section 4. Restriction on removal of plant life:

A. Nuts, fruit, berries, mushrooms, and

asparagus: It shall be lawful to collect reasonable amounts of nuts, fruits, berries, mushrooms, and asparagus for non-commercial home use on lands under the jurisdiction of the Board, provided that the collector does not otherwise damage the parent plant. The Director or his or her authorized representative shall have the authority to limit or suspend any collection activity in or on any area or portion of an area when the Department deems the volume of collection to be excessive. It shall be unlawful to collect nuts, fruits, berries, mushrooms, and asparagus for commercial use unless provided for by special use permit issued by the Department. Collection shall not be permitted on areas designated as state preserves unless otherwise allowed for by the preserve management plan.

B. Native prairie grasses, forbs (flowers), and other plant life: It shall be unlawful to collect or remove any variety of native prairie grass including its seed or seed head, forbs, or other plant life except as otherwise provided for in Section 4A, or by written permission by the Board, or by special use permit issued by the Department. This section does not apply to activities of the Board, or its officers, or employees, when caring for and managing lands under the jurisdiction of the Board.

Section 5. Use of Firearms: Section 461A.42 of the Code of Iowa entitled "Use of firearms prohibited - exceptions" is hereby modified under the authority of Section 350.10 of the Iowa Code as follows: Firearms, fireworks, explosives, paintball guns or any items referred to as paint ball guns and weapons of all kinds are prohibited in or on all areas EXCEPT as otherwise provided by law or for which a special use permit has been issued. However, it shall be lawful to use or carry firearms, (except paintball guns or items referred to as paintball guns) to hunt or pursue game birds or wild animals in or on all areas designated as hunting areas by the Board from August 15 to May 31, inclusive. It shall also be lawful to use firearms in or on shooting ranges designated by the Board at all times during the year. Target shooting shall be restricted to designated ranges.

Section 5.1. Blinds and tree stands restricted: The use or construction of blinds or tree stands is prohibited except as provided herein. No person shall cut or in any way sever or alter in any manner as to damage plant material or any natural feature for the purpose of constructing a blind or tree stand. No person shall drive or otherwise place any nails, spikes, pins or any other metal object into any tree for the purpose of constructing a blind or tree stand nor to facilitate access to a blind or tree stand. Portable blinds or tree stands capable of being moved by one person from one location to another and which are capable of being removed daily may be used provided that such devices do not in any way damage any natural feature.

Section 6. Training and exercising dogs: Section 461A.45 of the Code of Iowa entitled "Animals on leash" is hereby modified under the authority of Section 350.10 of the Code of Iowa as follows: It shall be lawful to permit dogs to run at large for the purpose of training or exercising them in or on all areas designated as hunting areas by the board or zones within areas not open to hunting. The Board may for cause close any area or portion of any area to all dogs and the training or exercising of dogs.

Section 7. Hunting restricted: It shall be unlawful to hunt, pursue or in any manner molest any birds or wild animals in or on any areas not designated as a hunting area by the board. The Department shall post all areas designated as hunting areas with official signs to notify the public that this activity is lawful.

Section 8. Camping.

A. Violation of any state law or any county park rule and regulation by any member of a camping party is cause for revocation of the camping permit and the entire camping party shall be required to leave the area.

B. Youth groups and adult groups who reserve any group camp shall have the exclusive use of the camp only if they utilize fifty percent or more of the capacity of the campground.

C. When any campground is open and in a usable condition, all charges and fees shall be in effect and shall be enforced as set forth in the official fee schedule approved by the Board. Camping parties must register and pay the required fee within one hour of arrival.

D. No camping party or camping unit of any kind shall occupy any campground more than fourteen days out of any twenty-one day period. On all parks or areas with more than one campground this shall apply to the entire area and all campgrounds in the area. The fourteen day limitation shall not apply to persons involved under a Linn County Conservation campground host program agreement.

E. Camping shall be restricted to one camping unit per campsite except that a small tent may be placed on the campsite with the camping unit. The area occupied by the small tent shall be no larger than 8 feet by 10 feet.

F. It shall be unlawful to park any licensed vehicle (excluding boat trailers) outside the surfaced parking area designated at each campsite, except that in campgrounds which do not have a designated visitor parking area or where a designated parking area at a campsite does not exist, the provisions of this section do not apply. The Director or his/her authorized representative has the authority to limit the number of licensed and/or motor vehicles occupying a campsite.

G. All campers shall maintain quiet and avoid excessive noise in the campgrounds between the hours of 10:30 p.m. and 6:00 a.m.

H. No camping party shall set up or take down their camping equipment between the hours of 10:30 p.m. and 6:00 a.m.

I. Campsites cannot be reserved except for

those campsites designated by the Board as reservable. In order to register for a campsite, the camping unit which is going to occupy the campsite must be in the campsite. A camping party cannot register for a campsite other than their own.

J. No camping unit or party shall move from its assigned campsite to another campsite without prior approval from the Director or his authorized representative.

K. Campers shall restore their campsite to the same approximate condition or better than when they found it.

L. No camping shall be allowed under any circumstances within fifty feet of any well or public restroom facility except that the provisions of this section shall not apply to authorized camping by units or parties in designated campsites.

M. Check-out time at all campgrounds is 1:00 p.m. except the Director or his/her authorized representative has authority to extend the check-out time.

N. Campers may be extended a "no charge" grace period for the day of arrival. This period shall be from their arrival time until 3:00 p.m. that same day.

O. Notwithstanding the grace period established in Section 8 (N), a charge of the daily rate for the campground and campsite involved will be made for occupying any campsite in any campground for any portion of a camping day.

P. Campsite registration must be in the name of a person 18 years of age or older who will occupy the camping unit on that site for the full term of the registration.

Section 9. Noise producing devices:

It shall be unlawful to operate or use any radio, television, stereo, musical instrument, electric generating plants, power saws, or any similar equipment in or on any area in such a manner as to create excessive noise and/or disturb other persons. Said equipment shall under no circumstances be used between the hours of 9:00 p.m. and 9:00 a.m.

Section 10. Dogs:

A. Dog sleds restricted: It shall be unlawful to ride, lead, or otherwise allow entry or use of any land conveyance propelled by dogs and run on wheels, tracks or runners in or on any area, except for those trails or roads which the Board shall from time to time designate and those other areas for which a special use permit has been issued.

B. Annoyance or disturbance: It shall be unlawful to bring or to be in possession of a dog which disturbs the quiet enjoyment of any person or persons in any area administered by the Board, by howling, yelping, barking, or aggressive or threatening behavior.

C. Unhealthful or unsanitary conditions: It shall be unlawful for any owner or walker of a dog or dogs to allow the animal or animals to discharge feces in or on any picnic area, campground, or public use area except areas open to hunting. The owner or walker shall be deemed to be in violation of this section if the owner or walker does not immediately thereafter take steps to remove or clean up the feces from the property. All feces shall be removed and placed in an airtight container and disposed of in a legal and sanitary manner.

Section 11. Public address systems restricted: It shall be unlawful to operate or use any public address system whether fixed, portable, or vehicular mounted, in or on any area except when such use of operation has been approved in writing by the director or his authorized representative.

Section 12. Radio, Television or Telephone Equipment Restricted: It shall be unlawful to install aerial or other special radio, telephone, or television equipment in or on any area without the approval in writing of the Director or his authorized representative.

Section 13. Permits required for commercial and political activity: It shall be unlawful to engage in any activity listed below except by contract or special use permit issued by the Conservation Board, its Director or authorized representative:

1. Washing or repairing cars or vehicles.
2. Commercial activity carried out for private gain or profit.
3. Political activity or gathering.
4. Community service activities of private, nonprofit groups.
5. General public events.
6. Special events.

Section 14. Use of horses restricted: It shall be unlawful to ride, lead, or otherwise allow the entry or use of horses or horse-drawn wagons on any portion of any area, except as provided herein. The Board may from time to time designate campgrounds, trails, or roads for use of horses and the Director or his authorized representative may, by issuing a special use permit, allow such activity on any area.

Section 15. ATVs and snowmobiles restricted: It shall be unlawful to operate any snowmobile, tote bike, air sled, swamp buggy, all terrain vehicle or any other land convenience propelled by a gasoline or electrical engine and run on wheels, tracks, or runners in or on any area, except for those trails and roads which the Board shall from time to time designate and those other areas for which a special use permit has been issued.

Section 15.1 Other Power-Driven Mobility Devices: It shall be lawful to operate other power-driven mobility devices (OPDMD), as defined by federal law, by individuals with mobility disabilities in or on any trail, route or area unless the Director, or his/her authorized representative, has completed an assessment of a trail, route or area utilizing criteria as set forth in 28 CFR part 35, Subpart B, 35.137 (b)(2), and as a result determined that

such use is not allowed or allowed subject to such conditions and/or restrictions as may be presented. Trails routes, or areas in or on which the operation of OPDMDs by individuals with mobility disabilities are not allowed or allowed subject to conditions and/or restrictions are posted with such information and are so designated and approved by a resolution of the Board. This rule is intended to comply with provisions of the Americans with Disabilities Act of 1990, as Amended.

Section 16. Trapping restricted: It shall be unlawful to trap or attempt to trap any birds or wild animals except as otherwise provided by law, in or on any area not designated as a trapping area by the Board. The Department shall post all areas designated as trapping areas with official signs to notify the public that this activity is lawful.

Section 17. Sledding equipment and activity restricted: It shall be unlawful to use any part of a car body, plywood or metal sheet, or any similar unsafe device for use in any downhill winter sports activities in, or on any area. It shall be unlawful to build jumps or to otherwise alter surface conditions for downhill sports activities.

Section 18. Swimming restricted: It shall be unlawful to swim, wade or engage in related water activities in or on any pond or waters in or on any area, except for those ponds or waters specifically designated from time to time by the Board.

Section 19. Reserving park facilities: It shall be unlawful for a minor to reserve a park facility. If a group consists of mixed adults and minors, a ratio of at least one adult to each eight minors must be maintained unless the group is a "registered youth group." A registered youth group may maintain different ratios if the group is sponsored for the activity by the Director or his authorized representative.

Section 20. Domestic refuse not permitted: It shall be unlawful to deposit garbage, refuse or litter from any household, business or any other place to any area for the purpose of disposing of the same in any refuse or litter container there provided.

Section 21. Boats unattended not permitted: It shall be unlawful to leave unattended any boat or other form of water conveyance on or attached to any area, except those areas designated from time to time by the Board, for more than twelve consecutive hours. Any water conveyance left in violation hereof shall be removed and stored at the expense of its owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal hereunder, such water conveyance shall be considered abandoned and shall thereafter be disposed of.

Section 22. Motor vehicles unattended not permitted: It shall be unlawful to leave any motor vehicle unattended on any area for more than twenty-four hours without the permission of the director or his authorized representative. Any motor vehicle left in violation hereof shall be removed and stored at the expense of its owner, which expense shall not be less than \$25.00. If not reclaimed within six months of its removal hereunder, all such motor vehicles shall be considered abandoned and shall thereafter be disposed of.

Section 23. Official signs:

A. It shall be unlawful for any person to enter, use or occupy any area or facilities within said area in disregard of any official signs.

B. Campsites and open picnic sites marked with the international symbol of accessibility shall be used only by persons or groups containing persons qualifying for and displaying a handicapped identification device on their vehicle.

Section 24. Possession and consumption of beer and wine prohibited: It shall be unlawful for any person to possess or consume beer or wine, as defined in Sections 123.3(7) and 123.3(37) of the Code of Iowa between the hours of 10:30 p.m. and 6:00 a.m. in or on any area, except beer or wine may be possessed within a camping unit or out of sight between said hours by an adult member of any camping party or an adult camping at a family or group campground. Any beer or wine possessed in violation of this rule shall be confiscated by the Director or his/her authorized representative.

Section 24.1. Beer and wine containers regulated: No person or group shall bring, use, or have in his, her or their possession on any area, beer or wine in a keg, or any other container larger than one liter, except for those lodges and shelters which have been reserved and approved by the Director or his/her authorized representative.

Section 25. Closing Time: All areas shall be closed to public use between the hours of 10:30 p.m. and 4:00 a.m. unless otherwise specified by the board, in which case official signs will be erected giving the public constructive notice of such change. The Director or his authorized representative may issue special use permits in conformity with Board policy which, when issued, shall allow groups or persons to observe other hours. The provisions of this Section shall not apply to authorized camping by registered camping groups in designated camping areas.

Section 26. Exceptions: Nothing in these rules and regulations shall prohibit or hinder the Department, its Supervisors, Park Rangers, or duly authorized agents or any other peace officers from performing their official duties.